## REMARKS

### STATUS OF CLAIMS

Claims 24, 26, 32, 45, 46, 48, and 49 were previously pending.

Claims 24, 26, 32, 45, 46, 48, and 49 are therefore pending and under consideration.

Claims 24, 26, 32, 45, 46, 48, and 49 stand rejected.

Claim 32 is amended herein.

No new matter has been added.

### CONSIDERATION OF IDS SUBMITTED 5/13/2010

Applicant respectfully requests consideration of the IDS submitted on 5/13/2010, with an RCE.

### REJECTION UNDER 35 USC § 112, SECOND PARAGRAPH

Claim 32 stands rejected as indefinite. Without agreeing with the rejection (the anxiety level appears to be referenced in claim 24), claim 32 has been amended for added clarity. Withdrawal of the rejection is respectfully requested.

### REJECTION UNDER 35 USC § 101

Claims 24, 26, 32, 45, 46, 48, and 49 stand rejected as being directed to non-statutory subject matter. The specification clearly distinguishes between *communication* media, and *storage* media. The former is described as including signals, the latter is described as various forms of tangible non-signal media. The claims recite *storage* media, which does not include communication media. Claim language is to be given its plain meaning in light of the specification. Storage media is not properly interpreted as encompassing signals. Signals are by definition are transient and are not "storage". The Merriam–Webster Online Dictionary (m-

w.com) notes that "storage" can mean "space or a place for storing ... memory". While the storage media may include forms other than memory per se, the dictionary definition shows that the ordinary meaning of storage does not include electromagnetic signals themselves. Withdrawal of the rejection is respectfully requested.

## REJECTION UNDER 35 USC § 103

Claims 24, 26, 46, 48, and 49 stand rejected as obvious over Roskind in view Turnbull.

### Claim 24

Claim 24 recites "... the simplifying comprising removing from one of the arbitrary applications advanced configuration options that are settable by the user to configure behavior of the application, the advanced configuration options comprising user interface components that can be manipulated by the user to set options affecting behavior **of the application**, the removing comprising **causing the advanced configuration options to not be settable by the user thereby preventing the user from setting the configuration options by the user**, wherein the ACE engine comprises an application separate from the application".

Some context of the cited feature of claim 24 should be considered. An ACE engine continually monitors the environment and adjusts application behavior. An application (not the ACE engine) has a plurality of **interface** features that are controlled by the ACE engine. The application has advanced configuration options "that can be manipulated by the user to set options affecting behavior of the application".

The rejection compares this feature only to teachings of Turnbull, and in particular paragraph [0050]. Paragraph [0050] does mention "automatically and dynamically created links are determined by the system based upon an established user profile, user activity and behavioral characteristics, as well as a contextual relevance model established by a user's profile, activities ... defined within the interface". However, these links cited in the rejection are "**links to information**" (para. [0050], emphasis added). are links to web pages (e.g.,

"representing individual commerce items". While the links may be in various forms (e.g., interface controls), they are nonetheless merely links to information; they are not, as recited in claim 24, advanced configuration options that can be manipulated by the user to set options affecting behavior of the application, nor are they of a nature that they can be caused to be prevented from being set from the user. It would not make any sense in Turnbull to display an information link and cause it to be nonsettable.

The rejection also cites to paragraph [0051] of Turnbull. However, this part of Turnbull only describes that a user interface can be modified to suit various interface configurations. Task-specific controls may be provided, interface controls may be configured according to various subjects, and a hierarchical navigation aid (e.g., a categorical hierarchical structure) are also mentioned. However, no part of paragraph [0051] actually mentions or suggests causing an advanced configuration option – a manipulable interface component which controls application behavior – to become non-settable by a user.

In addition, it would not make sense to disable a link to information in Turnbull. The nature of an information link is such that when it is needed, it is added, and when it is not needed, it is not added or present. There would appear to be no point to creating an information link and then disabling it.

Furthermore, an information link does not control application behavior. While an application may take action when a link is activated, one of ordinary skill in the art, reading the claim as a whole, would not equate a user interface component that controls a setting of an application with a link to information. They are different types of programmatic elements with different characteristics and uses.

Finally, the rejection is traversed for failing to present a *prima facie* case of obviousness. The official PTO position, as stated in the Federal Register (Vol. 72, No. 195 / Wednesday, Oct. 10., 2007/ Notices, section III) is:

> The Supreme Court in KSR noted that the analysis supporting a
> rejection under 35 U.S.C. 103 should be made explicit. The Court

quoting In re Kahn 41 stated that '' '[R]ejections on obviousness
cannot be sustained by there must be some articulated reasoning
with some rational underpinning to support the legal conclusion
of obviousness

Seven examples of rationales are given. However, the rejection provides not known category of rationale. The rejection states merely that the combination "would help enhance electronic commerce activities through interaction with a personalized relevance interface". The rejection provides no reason why this would be desirable, what would have led one to believe that such a benefit would result or be needed. In other words, the rationale is merely a conclusion of that a benefit would occur, but offers no reasoning or facts showing what would have led to the combination. There is nothing in the rejection that shows *why* one of ordinary skill would have desired to improve Roskind, what might be lacking or need improvement in Roskind, etc. If the Examiner's statement is sufficient to combine the references, than it would be obvious to modify anything related to electronic commerce with Turnbull; which is clearly not true. In short, the rejection fails to "clearly communicate the Office's findings and conclusions, articulating how the conclusions are supported by the findings" (*ibid.*, section IV).

Withdrawal of the rejection is respectfully requested.

Claim 48

The rejection cites Turnbull, noting "[s]uch automatically and dynamically created links are determined by the system based on user profile, user activity and behavioral characteristics". Here Turnbull appears to discuss "links are determined", which is quite different than disabling advanced configuration options such that functionality of the application is disabled, as recited in claim 48. Turnbull relates to bases for creating links, not bases for *disabling* user configurable options to disable application functionality. As mentioned above, the links in Turnbull are *information* links (e.g., hyperlinks), not things that control the

behavior of the application to which they belong. There is no mention in Turnbull or Rosking of disabling options.

Withdrawal of the rejection is respectfully requested.

Claim 48 also recites "responsive to detected changes of the monitored environmental state, displaying user interface components configured to allow a user to indicate respective preferences/settings corresponding to respective detected changes of the monitored environmental state ". The rejection cites only Roskind, paragraphs [0019] – [0021] and [0032] – [0034] as teaching this feature. However, the cited portions do not teach displaying user interface components that allow a user to change settings that correspond to the detected changes. Paragraphs [0019] – [0021] teach that "Adjustments also made be made within a particular notification mode". The types of adjustments depend on user preference settings. Such settings may be made by network (IP) and then sent to the mobile device. In sum, Roskind teaches simply that when an environmental change is detected, the action is to make an adjustment based on an existing user preference setting. In contrast, claim 48 actually displays the UI to allow preferences/settings to be made that correspond to the detected changes of environmental state. Roskind detects a change and makes a *notification mode* adjustment (i.e., increase volume). Paragraphs [0032] – [0034] only provide details about the types of sensors the mobile device uses.

Furthermore, Roskind explicitly teaches that when an environmental change is detected, adjustments are made *automatically*, that is, without user input, without displaying a UI, etc. ("using an IP network interface to provide access to user–selectable parameters for automatically adjusting notification configuration information for a mobile communications device", [0066]; "Automatically Changing a Mobile Device Configuration Based on Environmental Condition", title; " The described techniques automatically change the notification mode used by a mobile communications device to alert a user of an incoming communication to the mobile communications device.", Abstract). It appears that the rejection misses the overall process of

claim 48, in which (in simplified form) a change is detected, and then a user interface is displayed. The interface for user settings in Roskind is network based; settings are transferred to a mobile device after being set with an interface *that is not even on the mobile device* and therefore can't possibly be displayed on the device, let alone in response to a detection on the device.

Withdrawal of the rejection is respectfully requested.

Claim 49

Claim 49 recites "simplifying, by the controlling of user interface features by the ACE engine, the plurality of features provided to the user in response to the behavior characteristic of the user, the simplifying comprising removing from one of the arbitrary applications advanced configuration options that are settable by the user to configure behavior of the application, the advanced configuration options comprising user interface components that can be manipulated by the user to set options affecting behavior of the application, the removing comprising causing the advanced configuration options to not be settable by the user thereby preventing the user from setting the configuration options by the user, wherein the ACE engine comprises an application separate from the application".

In view of the remarks above regarding Turnbull, the rejection is respectfully traversed. Turnbull teaches displaying information links. The links are links to information (e.g., hyperlinks), not interface components that can be manipulated by the user ot set options affecting behavior of the application. Nowhere does Turnbull teach that the information links to be settable or able to be put in a state where they are non-settable, as recited in claim 49.

Withdrawal of the rejection is respectfully requested.

The dependent claims are allowable in view of dependence from claims discussed above, as well as in view of patentably distinct features recited therein.

## CONCLUSION

The present application is in condition for allowance. A prompt action to such end is requested.

Should any fees be required in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-0463.

If the Examiner believes a telephone interview would be helpful to expedite prosecution, the Examiner is invited to contact Applicant's undersigned representative at the telephone number below.


Respectfully submitted,
Microsoft Corporation

Date: __8/20/2010__

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